

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

GREG CUMBER,

10-CV-363-ST

Plaintiff,

ORDER

v.

TERRY CUMBER,

Defendant.

BROWN, Judge.

Magistrate Judge Janice M. Stewart issued Findings and Recommendation (#22) on July 15, 2010, in which she recommends this Court grant Defendant's Motion (#7) to Dismiss, deny as moot Defendant's alternative Motion (#7) to Transfer, deny as moot

Plaintiffs' Motion (#5) to Stay and for Entry of Default, and dismiss this matter with prejudice. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *Shiny Rock Min. Corp v. U.S.*, 825 F.2d 216, 218. (9<sup>th</sup> Cir. 1987). See also *Lorin Corp. v. Goto & Co.*, 700 F.2d 1202, 1206 (8<sup>th</sup> Cir. 1983). Having reviewed the legal principles *de novo*, the Court does not find any error.

#### **CONCLUSION**

The Court **ADOPTS** Magistrate Judge Stewart's Findings and Recommendation (#22). Accordingly, the Court **GRANTS** Defendant's Motion (#7) to Dismiss, **DENIES as moot** Defendant's alternative Motion (#7) to Transfer, **DENIES as moot** Plaintiffs' Motion (#5) to Stay and for Entry of Default, and **DISMISSES** this matter **with prejudice**.

IT IS SO ORDERED.

DATED this 4<sup>th</sup> day of October, 2010.

/s/ Anna J. Brown

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ANNA J. BROWN  
United States District Judge